IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA CHARLESTON DIVISION

Jason L. Gainey,)	Case No.: 2:21-cv-00493-JD-MGB
)	
Plaintiff,)	
)	
VS.)	
)	OPINION & ORDER
Thomas James Mays; Kimberly	Renee)	
Brown Gainey; and Sumter Lee Re	egional)	
Detention Center,)	
)	
Defendants.)	
)	

This matter is before the Court with the Report and Recommendation of United States Magistrate Mary Gordon Baker ("Report and Recommendation"), made in accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02 of the District of South Carolina. Jason L. Gainey ("Gainey" or "Plaintiff"), proceeding *pro se* and *in forma pauperis*, brought this action alleging violations of his constitutional rights pursuant to 42 U.S.C. § 1983. (DE 1.)

Gainey filed this action against defendants Thomas James Mays; Kimberly Renee Brown Gainey (collectively "Defendants") alleging that his "constitutional right to a happy home was disrupted by both defendants when they committed adultery by human/sex traffic." (DE 1, p. 4.) Plaintiff further alleges defendant Sumter Lee Regional Detention Center ("Detention Center") did not provide him with an X-ray, pain medication, or any other medical treatment, from a wrist injury allegedly sustained during transit to the Detention Center following his arrest and which resulted

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The recommendation has no presumptive weight, and the responsibility for making a final determination remains with the United States District Court. See Mathews v. Weber, 423 U.S. 261, 270-71 (1976). The court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the magistrate judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

in a knot in his wrist. (DE 10, pp. 2-3.) The Magistrate issued the Report on November 19, 2021,

recommending this action be summarily dismissed without issuance and service of process. (DE

10.)

Plaintiff filed no objections to the Report and Recommendation. In the absence of

objections to the Report and Recommendation, this Court is not required to give any explanation

for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983). The

Court must "only satisfy itself that there is no clear error on the face of the record in order to accept

the recommendation." Diamond v. Colonial Life & Acc. Ins. Co., 416 F.3d 310, 315 (4th Cir.

2005).

Upon review of the Report and Recommendation and the record in this case, the Court

adopts the Report and Recommendation and incorporates it herein by reference.

It is, therefore, **ORDERED** that this action is dismissed without issuance and service of

process.

IT IS SO ORDERED.

Joseph Dawson, III

United States District Judge

Greenville, South Carolina December 15, 2021

NOTICE OF RIGHT TO APPEAL

Plaintiff is hereby notified that she has the right to appeal this order within thirty (30) days

from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.

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